IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY SEVENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

and
THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 12823 of 2004

Between:

Sri K.Omprakash, S/o Thayappa,
R/o H.No.24-18, Brahma Street, Alampur Village and Mandal,
Mahabubnagar District

..... PETITIONER

AND

1 The Registering Authority, Regional Transport Authority,
Mahabubnagar, Mahabubnagar District
2 The Motor Vehicles Inspector, Unit Office, Gadwal, Mahabubnagar District

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ order or direction especially one in the nature of Writ of Mandamus declaring the seizure of the petitioner's vehicle bearing No.AP 22 U 502 vide vehicle check report NO.367699 dated 9/1/2004 under Section 8 of A.P.Motor Vehicles Taxation Act 1963 is illegal, arbitrary and further declare that the non-consideration of the application is also illegal and pass such other order or orders as the Hon'ble Court may deems fit and proper in the circumstances of the case, in the interest of justice

Counsel for the Petitioner:MR.CH.RAVINDER

Counsel for the Respondents: GP FOR TRANSPORT

The Court made the following :

ORDER:

(per Sri Bilal Nazki, J)

Heard the learned counsel for the parties and with their consent the matter is being disposed of at this stage.

It is submitted that the vehicle belonging to the petitioner was inspected by the Motor Vehicles Inspector on 9.1.2004 and he found the vehicle without Registration Certificate, without driving licence, without permit, without F.C and without I.C. The driver has also absconded leaving the vehicle. He also found that the tax had not been paid for the first quarter ending with 30th June 2003 and quarter ending 31st December 2003, and, enquiry is pending.

Under these circumstances, we dispose of the Writ Petition by directing the petitioner to pay the tax due and on payment of tax due, the vehicle shall be released subject to the final orders in the enquiry. During the pendency of the enquiry, the petitioner shall not alienate the vehicle or create any third party interest.

Accordingly, the Writ Petition is disposed of. No costs.

DATED: 27.7.2004. ASSISTANT REGISTRAR

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Note: Furnish copy in two days.

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SECTION OFFICER

To

1 The Registering Authority, Regional Transport Authority,
Mahabubnagar, Mahabubnagar District
2 The Motor Vehicles Inspector, Unit Office, Gadwal, Mahabubnagar District

3. 2 CC to G.P for Transport, High Court Buildings, Hyderabad. (OUT)

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